

BOARD OF POLICE COMMISSIONERS
MINUTES OF MEETING
Tuesday, December 27, 2016
Approved

A meeting of the Board of Police Commissioners was held in the Burlington Police Department Community Room on **Tuesday, December 27, 2016**. Chair Kenney called the meeting to order at 6:02 PM. Co-Chair Kemp Longmore arrived at 6:05 PM. Chief del Pozo arrived at 6:08 PM.

The following Commissioners were present: Chair Sarah Kenney, Co-Chair Christine Kemp Longmore, Commissioner Paul Hochanadel, Commissioner Robert Simpson, and Commissioner Nyree Miles. Also present: Police Chief Brandon del Pozo, Deputy Chief Jannine Wright and Brion Houston, Police Commission Clerk.

Additions or Modifications to Agenda:

~ Chair Kenney advised to keep "Update on Research into Civilian Oversight of the Burlington Police Department" on the agenda, and to get an update at the January meeting from Sara Giannoni as Sara could not make it to this meeting. Also, Commissioners Plumley and Hart were not present.

Public Forum:

~ Public remarks were made during Chief's update on Sanctuary City.

Introduction of Citywide Opioid Policy Manager, Jackie Corbally:

~ Chair Kenney introduced Jackie Corbally, the Citywide Opioid Policy Manager, who is coordinating a data-driven model to measure the impact of the opioid addiction in the community. Jackie is leading CommStat, a collaboration initiative with Chittenden County Opioid Alliance. CommStat is comprised of 47 partners around the city to fight the opioid crisis, more specifically heroin, to facilitate treatment, prevention, and education

~ Commissioners asked both Jackie and Chief del Pozo questions regarding data, treatment facilities, and what role the police have.

Update on Ride-Along Proposal, Ward Nial:

~ Ward Nial updated the Commission on the Ride-Along proposal stating there was a meeting with Lacey-Ann Smith, Community Affairs Liaison at the Police Department, to underline the purpose and what concerns there were from the Police Officer's perspective.

~ Chief del Pozo stated that one major concern was that of someone who has Post-Traumatic Stress Disorder and an officer responding to a situation that could trigger a response of a past event.

Update on Research into Civilian Oversight of the Burlington Police Department:

~ Chair Kenney reported Sara Giannoni has used some of her personal city council budget to contact someone to do research on what other municipal police commissions around the country look like, and what some of the work that has happened in Burlington in the past. Sara will be at the January meeting to give her update.

Chief's Report: Sanctuary City and Fair and Impartial Policing Policy:

- ~ Chief del Pozo reported that the Department hired 3 new officers in the last two weeks and also signed a contract to hire a fourth officer.
- ~ Chief del Pozo reiterated his commitment to increase the diversity of the Department. The last four hires are an African-American, a Chinese-American, a Latino by way of Ecuador, and a female.
- ~ Chief del Pozo reported that he met with individuals from the Vermont Criminal Justice Training Council (VCJTC) regarding recruits taking the entrance exam at the Police Academy in Pittsford.
- ~ Chief del Pozo stated that he spoke with Richard Gauthier, Executive Director of the VCJTC, saying there was consideration with reviewing and making amendments to the exam.
- ~ Chief del Pozo introduced the 8-week pilot program for police officer candidates to learn all aspects of policing which also gives the Department an idea of the recruits character before they go to the Police Academy. This pilot program also allows candidates to work out to prep them for the physical fitness standards while in the academy.
- ~ Chief del Pozo reported the detailed Use of Force data analysis from Eric Fowler is still on schedule to be released.
- ~ Chair Kenney requested for Eric to give a presentation of the report to the Commission.
- ~ Chief del Pozo stated that he is meeting with the City Attorney on December 28th, to look at the adoption of the essential elements of the states' Fair and Impartial Policing Policy in preparation of the city meeting on January 10th, 2017.
- ~ Chief del Pozo was concerned that some municipalities adopted the Fair and Impartial Policing Policy without careful thought.
- ~ Chief del Pozo invited Will Lambek of Migrant Justice in Vermont to speak during this portion. Will stated that "detainers do not meet Fourth Amendment tests for detention of individuals and they are unconstitutional illegal detentions".
- ~ Chief del Pozo stated that he agreed, but "the way it was expressed in the optional language, suggests that things that are not reviewed by the Judiciary and signed by a Judge, do not provide you with reasonable grounds to seize a person, but as a sentence, it is not true." Chief del Pozo said that it is important for the language to be limited to detainers should the city adopt it.
- ~ Will stressed the concern of the collaboration of the Federal program with the new political changes in mind.
- ~ Chair Kenney asked that the bold essential elements of the Fair & Impartial Policing Policy will be reviewed at the next meeting in January.

Review of Any Incoming Correspondence:

- ~ No review of any incoming correspondences during this meeting.

Commissioners' Updates/Comments:

- ~ Chair Kenney formally acknowledged Commissioner Hochanadel's resignation from the Commission.
- ~ Chief del Pozo presented Commissioner Hochanadel with a Burlington Police Department Certificate of Appreciation for his dedication and commitment as Commissioner from 2010 to 2016.
- ~ Commissioner Hochanadel thanked the Board and addressed the Commission with reasons for departing.
- ~ Commissioner Kemp Longmore made a recommendation for having a Commendation tab for Officers on the Burlington Police website. Commissioner Kemp Longmore spoke of a recent personal incident that occurred with a great response from the Burlington Police Department.
- ~ Commissioner Simpson asked Chief del Pozo for an update regarding a prior visit with the ACLU on

Officers' body cameras.

- ~ Chief del Pozo stated that fellow Chiefs wrote a response to the ACLU. In short, the ACLU does not want an officer to view his or her body camera footage following an incident before making a statement.
- ~ Commissioner Simpson asked Chief del Pozo what happens if someone is in treatment and continues to sell drugs. "Is there any incarceration or prosecution?"
- ~ Chief del Pozo states the case is then sent back to the States Attorney's office for criminal prosecution.

Review Updated Directives:

- ~ No review during this meeting.

Consent Agenda – Minutes of Previous Commission Meetings:

- ~ Commissioner Simpson motioned to move the consent agenda and minutes from the previous meeting. Commissioner Kemp Longmore seconded the motion. All Commissioners' in favor of the motion, the motion passed.

Next Meeting's Agenda Items and Date:

- ~ Chair Kenney stated the next meeting is January 24th, 2017.
- ~ Chair Kenney stated that Sara Giannoni will be in attendance to update the Commission on the research into civilian oversight of the Burlington Police Department.
- ~ Chair Kenney invited Eric Fowler to do a presentation on the Use of Force data.
- ~ Chair Kenney stated there should be a discussion of the Fair and Impartial Policing Policy as a proposed BPD directive.

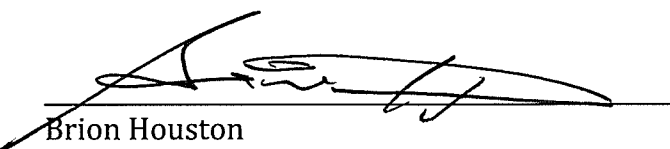
Executive Session:

- ~ No executive session was needed during this meeting.

Adjournment:

- ~ Commissioner Hochanadel had the privilege to motion for adjournment of his final meeting of the Board of Police Commissioners. Chair Kenney seconded the motion moving to adjournment at 7:43 PM.

Respectfully Submitted,


Brion Houston
Executive Assistant to the Chief of Police
Clerk of Police Commission

01/26/2017

Date